

contribution over the prior art in view of Levenkova et al., Bioinformatics, Volume 20 (3): 430-432 (2004). Applicants disagree with the Examiner's conclusion in this regard.

It is noted that the instant application claims priority to U.S. Provisional Application No. 60/515,180 (the '180 application), which was filed on 10/27/2003, prior to the publication of the Levenkova et al. reference. It is further noted that the '180 application discloses the technical feature of selecting and ranking siRNAs for silencing a target gene and position-specific base composition scoring. For example, see Claims 1, 28, 46, 51 and 52 on pages 73-81 of the '180 application as filed. Therefore, it is demonstrated that the technical feature identified by the Examiner as providing unity of invention of the pending claims is novel and inventive over the Levenkova et al. reference, and therefore is a special technical feature that defines a contribution which each of the claimed inventions, considered as a whole, makes over the prior art.

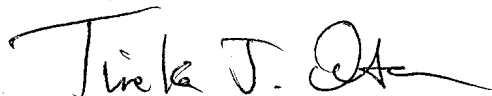
In view of the foregoing, reconsideration of the Examiner's restriction requirement based on lack of unity of invention in view of the Levenkova et al. reference is respectfully requested.

Conclusion

Reconsideration of the restriction requirement and favorable action is requested. The Examiner is further requested to contact applicants' representative at the number set forth below to resolve any issues that may facilitate prosecution of this application.

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



Tineka J. Quinton
Registration No. 53,496
Direct Dial No. 206.695.1655

TJQ:mmw

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
206.682.8100